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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

FRANCISCO “DANIEL” FLORES,
CONSTANTINO “FERNANDEZ” HERNANDEZ,
ENRIQUE HERNANDEZ, VALERIANO
“FERNANDO” SALVADOR, and ALEJANDRO
JIMENEZ, on behalf of themselves and others
similarly situated,

Plaintiffs,

v.

ANJOST CORP. d/b/a ZARO’S BAKERY,
STUART D. ZARO, and JOSEPH ZARO,

Defendants.

No. 11 Civ. 1531

**NOTICE OF PLAINTIFFS’ MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL CERTIFICATION OF THE SETTLEMENT
CLASS, APPOINTMENT OF PLAINTIFFS’ COUNSEL AS CLASS COUNSEL, AND
APPROVAL OF PLAINTIFFS’ PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs’ Motion for Preliminary Approval of the Class Action Settlement, Conditional Certification of the Settlement Class, Appointment of Plaintiffs’ Counsel as Class Counsel, and Approval of Plaintiffs’ Proposed Notice of Settlement (“Motion for Preliminary Approval”), the Declaration of Justin M. Swartz in Support of Plaintiffs’ Motion for Preliminary Approval (“Swartz Declaration”), and the Declaration of C.K. Lee in Support of Plaintiffs’ Motion for Preliminary Approval (“Lee Declaration”), Plaintiffs respectfully request that the Court enter an Order:

- (1) granting preliminary approval of the Joint Stipulation of Settlement and Release (“Settlement Agreement”), Decl. of Justin M. Swartz (“Swartz Decl.”) Ex. A;
 - (2) certifying the proposed class for settlement purposes;
 - (3) appointing Outten & Golden LLP (“O&G”) and Lee Litigation Group, PLLC (“Lee Litigation Group”) (collectively, “Plaintiffs’ Counsel”) as Class Counsel;
 - (4) approving the proposed Notice of Class Action Settlement, Swartz Decl. Ex. B;
- and
- (5) granting such other, further, or different relief as the Court deems just and proper.

* * *

Plaintiffs have contemporaneously submitted a Proposed Order, attached hereto as **Exhibit A**, for the Court’s convenience.

Dated: July 31, 2013
New York, New York

Respectfully submitted,

By: /s/ Justin M. Swartz
Justin M. Swartz

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Attorneys for Plaintiffs and the Classes